Supreme Court, U.S.
FILED

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In The
SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D.C. 20543
OCTOBER 1997 TERM

BEN. GYADU,
Petitioner

- vs -

WORKERS' COMPENSATION COMMISSION, ET AL

Respondents

A PETITION FOR A WRIT OF CERTIORARI
FROM THE U.S. COURT OF APPEALS, NEW YORK, NEW YORK

PETITION FOR WRIT OF CERTIORARI

BEN. GYADU, Pro Se
P.O. Box 4314
Waterbury, CT 06704

36 pp

Ref.: Supreme Court of U.S. Date: February 13, 1998
Washington, DC 20543

QUESTIONS FOR REVIEW

1. Does the defendant, Workers Compensation Commission, violate Plaintiff's established federal statutory and constitutional rights when it ignores its own laws, fails to enforce the provisions of the laws of the system, breaks laws of the system to achieve a goal sought, handles plaintiff's claim for benefits by arbitrary and capricious means so as to deprive Plaintiff of benefits due him?

2. Does a Workers' Compensation Commissioner, Commissioner Mastropietro, defendant, after plaintiff, due to his condition, decided not to accept the Commission's offer to settle his case, abuse his office and violate plaintiff's established federal statutory and constitutional rights when in an effort to make it compelling for plaintiff to settle his case for any amount of money which the Commission and the carrier were willing to offer the plaintiff to get him off the system at a time he does not have a job because of his injury, does not have any health insurance, but has permanent health

problems because of his injury, does not have any income and so critically needs the assistance of the Commission, in his efforts to get back on his feet, the Commissioner, Commissioner Mastropietro, decides to manipulate plaintiff's weekly income so as to place financial hardships upon plaintiff as a means by which plaintiff would opt to settle his case?

3. Does a Workers' Compensation Commissioner, Commissioner Mastropietro, defendant, violate plaintiff's established federal statutory and constitutional rights under (a) Due Process - 42 U.S.C. Section 1983 (b) Equal Protection - U.S. Const. Amend. XIV, Section 1 (c) Equal Benefit Of The Laws - 42 U.S.C. Section 1981 when at the face of Section 31-296 of the Conn. Gen. Stat. Annot. of the Compensation Act which makes it unlawful for the carrier to take a unilateral action to discontinue payment of a claimant he, the Commissioner, who presides over the laws of the system, states that the carrier could take a unilateral action against the provisions of the Compensation Act to discontinue

payment of the plaintiff's weekly income just to make it possible for the insurance carrier to wrongfully withhold as much as $1191.00 of Plaintiff's weekly income?

4. Does a Workers Compensation Commissioner violate plaintiff's civil rights as alleged when in an effort to place financial hardships upon plaintiff to achieve his intended goal he wrongfully reduces plaintiff's already reduced weekly income by as much as $97.00/week even though for almost 10 years plaintiff had been receiving the same rate of weekly income at the face of rising costs of living?

5. Does a Workers Compensation Commissioner, Commissioner Mastropietro who attempts to cover-up his unlawful conduct after reducing plaintiff's weekly income in favor of the insurance carrier against conditions upon which a claimant's income could be reduced under the Act, violate plaintiff's alleged civil rights when he defends that action by saying he reduced plaintiff's income to appease the carrier to

continue to make payments pending a proposed hearing and yet fail to take some action against the carrier when it took another unilateral action to discontinue payment of even that reduced weekly income when the hearing was yet to be held?

6. Does the Workers Compensation Commission, deny plaintiff a right to a Due Process when it handles plaintiff's claim for benefits by arbitrary and capricious means just to make it possible for it to deny plaintiff of any particular benefit it does not want plaintiff to have, as alleged? For example, while the Commission would not give plaintiff an increase in his weekly income upon a reason that his injury occurred before the increase in the maximum allowed weekly rate, the same commission, however, when calculating plaintiff's lump-sum would not use the discount rate at the time of plaintiff's injury but would rather use the higher discount rate which goes with the increase in the weekly rate just becaue the Commission did not want to give plaintiff what was due him?

7. Does the Commission's action which denied plaintiff the "31-308" benefits of the Compensation Act which was supposed to be given to plaintiff when he was released to look for work within his physical limitations pending a surgery, and instead put plaintiff on his specific award which was supposed to give plaintiff some income security against the effects of the permanent partial loss of use of his hand due to the extent of his injury and as a result made plaintiff exhaust all that specific award while he was looking for work, violate plaintiff's right to equal protection - U.S. Const. Amend. XIV Sect. 1, Equal Benefit Of The Laws - 42 U.S.C. Sect. 1981, Due Process - 42 U.S.C. Sect. 1983?

8. Does the Commission's alleged arbitrary and capricious means of handling plaintiff's claim for benefits in an effort to deprive plaintiff of any particular benefit it does not want plaintiff to have and as a consequence cause the total ruin which plaintiff's whole life has been suffering, constitute a

violation of plaintiff's established federal statutory and constitutional rights?

For example, Bateson vs. Griese, 857 F.2d 1300, 1303, (CA9, 1988) holds that a city's denial of a building permit to an individual who met all requirements was such an arbitrary discriminatory administration of local regulations as to constitute a violation of petitioners' substantive due process rights.

9. Does the Exclusivity provisions of the Compensation Act which does not provide a means by which even Intentional and Deliberate wrongful actions of Commissioners could be dealt with, with immediate effect to prevent resultant injuries to innocent injured workers who need assistance to enable them to get back on their feet and further insulate and protect perpetrators of such conduct from prosecution to an extent that the Commission and the insurance carrier could conspire for a common interest, violate the plaintiff's civil rights as alleged?

10. Did the District Court err in dismissing the plaintiff's action based upon the ruling of plaintiff's 1994 Superior Court action which stated in part that the Superior Court is a wrong venue for complaints which stem out of issues which involve Workers Compensation benefits and consequently blocked every action the plaintiff could take to attempt to correct the errors made in the ruling?

For example, the Superior Court stated that plaintiff failed to exhaust administrative remedies when (a) the Supreme Court had stated under Monroe vs. Pape, 365 U.S. 167 (1961) that "exhaustion of state judicial remedies not required in actions under 42 U.S.C. Sect. 1983," such as plaintiff's; the same message that "exhaustion of state administrative remedies not required in actions under 42 U.S.C. Section 1983" was put across under Patsy v. Board of Regents, 457 U.S. 496, 73 L.Ed. 2d 172, 102 S.Ct. 2557 (1982), (b) Plaintiff was complaining about a wrongful conduct of the Commission which makes the Commission subject plaintiff's claim for benefits by arbitrary and capricious

means whenever the Commission wants to deprive plaintiff of any particular benefit it does not want plaintiff to have, and for that reason Plaintiff could not exhaust administrative remedies without making the defendant of his action, i.e. the Commission, the judge of such an action.

11. Did the district court err in dismissing plaintiff's action based upon its assumption that plaintiff's 1994 Superior Court action and the plaintiff's district court action were the same and upon that dismissing the plaintiff's action based upon the Superior Court's ruling?

12. Did the district court err in denying plaintiff's Motion For Reconsideration, especially after it expressed some difficulty in understanding plaintiff's complaint?

13. Did the district court err in its assumption that "what plaintiff is primarily seeking in this federal forum is equitable relief from various decisions of the Compensation

Commissioner", especially when the only way by which plaintiff could tell the court about how his rights were violated was to tell the court about the incidences which took place?

14. Did the district court err in dismissing plaintiff's action against Commissioner Mastropietro - In His Individual Capacity - after the court stated:

"It is unclear from plaintiff's Amended Complaint whether his claims are against the Commissioner in his capacity as an official of the state, or in his individual capacity, or both" and yet would not entertain plaintiff's Motion For Reconsideration and additionally at the front page of the Complaint, the plaintiff has specified that the action is against the Commissioner-In-His Individual Capacity?

15. Did the Court of Appeals, 2nd Circuit, err in dismissing the plaintiff's action as it did at the face of the

argument which the plaintiff raised in his Petition For A Re-hearing?

16. Did the 2nd Circuit err in dismissing plaintiff's action as did the District Court?

17. Would the Court of Appeals dismissal of plaintiff's action, have been different if plaintiff had not applied for counsel to make the court declare his action as frivolous before the 2nd Circuit had a chance to even hear the plaintiff's argument let alone to evaluate the plaintiff's Petition For A Re-hearing?

18. Did the 2nd Circuit err in dismissing the plaintiff's action against Commissioner Mastropietro-In His Individual Capacity?

19. Did the Court of Appeals err in dismissing the plaintiff's action against the Workers Rehabilitation with a reason that the plaintiff failed to serve that defendant with the Summons and Complaint when it was the District Court that was supposed to do the service as it did with the other defendants?

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LIST OF PARTIES

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The Workers Compensation Commission, Et Al

c/o The State Attorney General's Office

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ATTN: Attorney Lisa G. Weiss

There are no other parties to this action.

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TABLE OF AUTHORITIES

Statutes:

U.S. Const. Amend. XIV, Section 1

42 U.S.C. Section 1983

42 U.S.C. Section 1981

42 U.S.C. Section 1985(3)

Conn. Gen. Stat. Annot. Section 31-296

Conn. Gen. Stat. Annot. Section 31-297a

Conn. Gen. Stat. Annot. Section 31-315

Conn. Gen. Stat. Annot. Section 4-142

Cases:

Monroe Vs. Pape, 365 U.S. 167 (1961)

Pennsylvania Vs. Local 542, IUOE, 347 F. Supp., 268 (E.D. Pa. 1972)

Patsy Vs. Board Of Regents, 457 U.S. 496, 73 L.Ed. 2D 172, 102 S.Ct. 2557 (1982)

Bateson vs. Greise, 857 F.2d 1300, 1303 (CA 9, 1988)

Felder Vs. Casey, 487 U.S. 131 (1988) At 149.

Easter House Vs. Felder, 910 F.2D 1387 (7Th Cir., 1990) At 1406.

Buckley Vs. Fitzsimmons (1993) 509 U.S. 259, 125 L.Ed. 2d. 209, 113 S.Ct. 2606, 93 CDOS 4669, 93 Daily Journal, DAR 7961.

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STATEMENT OF GROUNDS INVOKING THIS COURT'S JURISDICTION

This is a timely filed petition for Certiorari from the decision of the Court of Appeals, 2nd Circuit, N.Y., N.Y. which dismissed part of plaintiff's complaints and after a hearing dismissed the whole Complaint.

This court has jurisdiction to hear this matter because it alleges violation of plaintiff's established federal statutory and constitutional rights.

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STATEMENT OF THE CASE

This is an appeal from a finding of the Court of Appeals, 2nd Circuit, New York, New York, in dismissing all but one issue of the plaintiff's action upon considering plaintiff's application for counsel in conjunction with the plaintiff's appeal. That part of the Complaint, the Dependency Allowance issue, which was not dismissed was later dismissed by the Summary Order of the 17th Nov., 1997 after a hearing.

Plaintiff appealed the District Court's ruling based upon errors, such as the following, which the District Court made about the plaintiff's action.

(a) The District Court not only expressed some difficulty in understanding plaintiff's complaint and demonstrated that fact in the ruling by the profound misinterpretation of the plaintiff's complaint but it as well expressed a need for some supporting documents.

However, the court denied plaintiff's Motion For Reconsideration which was intended to provide the court with

the needed informations and supporting documents which would make the court re-evaluate the complaint to correct the errors made. The court's reason for dismissing the plaintiff's Motion For A Re-hearing was that the motion was untimely.

Because plaintiff's earlier action in 1994 at the State Superior Court against the Commission was dismissed, the District Court erroneously assumed that plaintiff initiated his federal court action out of frustration and that plaintiff's action was intended to ask the district court to review the rulings of the compensation hearings and overturn the rulings accordingly.

"Frustrated with the treatment that he has received by the Commission and Commissioner and having been unsuccessful in his attempts to get relief from the state court, plaintiff now asks this federal court to intervene in the State Workers' Compensation process and to order the Defendants to take action. This we will not do," the court stated.

This statement represents a typical example of the misinterpretation of the plaintiff's action and hence the errors upon which plaintiff's action was dismissed.

By telling the court about those incidences to enable the court to understand what plaintiff claims, constitutes the kinds of arbitrary and capricious means by which the defendants have been handling the plaintiff's claims for benefits in their efforts to deprive plaintiff of any particular benefit which they do not want plaintiff to have, the plaintiff's Complaint was rather misinterpreted by the District Court. Upon that the District Court stated that the plaintiff's action was an attempt to "ask the federal court to intervene in the State Workers Compensation process..." And yet without telling the court about those kinds of incidences, plaintiff would only be complaining and nobody would know why the plaintiff claims his civil rights have been violated by the defendants.

From the very beginning of the plaintiff's complaint, it would be discovered that plaintiff was complaining about the

wrongful culture of the system, and how the system is run to make it possible for the Commission and the insurance carrier to even conspire to achieve a common interest; laws have not been respected and have been ignored so as to achieve a particular goal sought.

This is why the defendants could continue to subject plaintiff to the same kinds of violations of plaintiff's civil rights even while there is a pending legal action against those kinds of wrongs against plaintiff, harassing the plaintiff in the process.

Under "Count One" page 3 of plaintiff's complaint, plaintiff began his complaint by telling the court about the Commission's wrongful conduct by which it has been running the system.

It would be clearly discovered that the incidences which the plaintiff gave account of constitute examples of those kinds of acts which plaintiff claimed were a habit of the Commission and represent a violation of his civil rights.

The District Court expected plaintiff to appeal unlawful conduct of the Commission and through nobody but the very Commission, i.e. the defendant.

This was how the District Court dismissed the plaintiff's action and hence a typical example of why plaintiff claims that his action was erroneously dismissed by the District Court.

Under Felder vs. Casey, 487 U.S. 131 (1988) at 149 the Supreme Court stated:

"While the exhaustion required by Wisconsin's notice of claim statute does not involve lengthy or expensive administrative proceedings, it forces injured persons to seek satisfaction from those alleged to have caused the injury in the first place. Such a dispute resolution system may have much to commend it ---".

As another example of the errors the District Court made, the court stated that plaintiff "contends that the Commission should have increased his weekly income..."

This again was not the message which the plaintiff was trying to put across in plaintiff's reference to the increase in the weekly benefit he was not given.

Plaintiff made the reference to let the court know that while the Commission would not give plaintiff the increase upon a reason that his injury occurred before the increase in the maximum allowed weekly rate, the same Commission however would not use the discount rate at the time of plaintiff's injury when calculating the lump-sum of plaintiff, but would rather use the higher discount rate that goes with the increase in the maximum allowed weekly rate, just because the Commission did not want plaintiff to have what was due him.

The mention of the increase in weekly rate which plaintiff said he was not given was just to tell the court about the kinds of arbitrary and capricious means by which the Commission has been handling the plaintiff's claims for benefits in an attempt to deprive the plaintiff of his benefits.

(b) The District Court did not find anything wrong about Commissioner Mastropietro's malicious acts.

However from the Compensation Act, a copy enclosed and labeled A1, it would be discovered that the Commissioner's act blatantly violated the Law of the Compensation Act and hence denied plaintiff his civil rights as alleged.

Every benefit of the Workers Compensation is guided by the provisions of the Act and depends upon conditions upon which it is granted and hence it is DISCRETIONARY. They are all "temporary" and that is why there is "temporary" total and "temporary" partial benefits. The plaintiff's "308a" benefits is a type of "temporary" partial benefits. The insurance carrier, by law, does not take any unilateral action to terminate any of them nor does it take any unilateral action to grant any. This is why there is a hearing to grant or to terminate any of them. The plaintiff's "308a" benefits is not anything different from any of them.

To call it discretionary to allow the insurance carrier to terminate it as it pleases constitutes a blatant violation of plaintiff's civil rights as alleged and it sets a very bad precedent.

Because of those unlawful acts of Commissioner Mastropietro, the insurance carrier took another unilateral action to terminate the plaintiff's weekly income at even the reduced rates while the hearing upon which Commissioner Mastropietro claimed he reduced the plaintiff's weekly income was yet to be held.

Consequently for over 76 consecutive weeks as of date, plaintiff who is supposed to receive a weekly income has been deprived of it by unlawful acts.

Based upon this blatant erroneous dismissal of the plaintiff's action by the District Court, the plaintiff expected that the Court of Appeals would overturn the ruling as a matter of course.

However, the Court of Appeals affirmed the District Court's ruling and even stated that the plaintiff did not serve

the workers rehabilitation with the Summons and Complaint when it was the District Court that was supposed to serve the Workers' Rehabilitation with the Summons and Complaint as it did with the other defendants.

The plaintiff moved for a Petition For A Re-hearing in an attempt to make the Court of Appeals correct the errors of its ruling.

This was however denied on the 28th of January, 1998, without any explanation but a handwritten statement at the front page of the Summary Order that states:

"Issued As A Mandate". The plaintiff was therefore compelled to appeal the ruling, pro se, without funds, to the U.S. Supreme Court.

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ARGUMENT

Because the district court identified plaintiff's action as that of the plaintiff's 1994 Superior Court action, plaintiff's district court action was evaluated by the same standards as that of the 1994 action even though the two differ in many respects.

Consequently, the District Court dismissed the plaintiff's action erroneously as that of the Superior Court and did not even consider the Commission's aggravated offense against plaintiff for its repeated violations of plaintiff's civil rights as alleged, harassing the plaintiff as a retaliatory measure for plaintiff's lawsuit against the Commission, in violation of plaintiff's right to sue - 42 U.S.C. Section 1981 as discussed under Pennsylvania vs. Local 542, I.U.O.E., 347 F. Supp., 268 (E.D. Pa. 1972).

By identifying the plaintiff's action as that of the Superior Court's action in 1994, the District Court reduced

every part of the plaintiff's action along the lines of the plaintiff's Superior Court action.

As a result, Commissioner Mastropietro's action which was a typical example of the Commission's deliberate wrongful conduct upon which plaintiff's claim for benefits has been handled whenever the Commission does not want plaintiff to receive any particular benefit due him, was not prosecuted and was seen as an act which calls for an appeal through the Compensation System and hence an action that calls for Exhaustion of Administrative Remedies at the face of the fact that (a) Exhaustion of state judicial remedies not required in actions under 42 U.S.C. Section 1983 Monroe vs. Pape, 365 U.S. 167 (1961); exhaustion of state administrative remedies not required in actions under 42 U.S.C. Section 1983 Patsy vs. Board of Regents, 457 U.S. 496, 73 L. Ed. 2d 172, 102 S. Ct. 2557 (1982).

(b) Under Easter House vs. Felder, 910 F. 2d 1387 (7th Cir., 1990) at 1406 the court stated:

"An action against a state official for conduct in his official capacity will withstand a motion to dismiss the complaint on sovereign immunity grounds if the complaint alleges that the official is ... violating the Law of Illinois and thus acting beyond his authority."

(c) Qualified Immunity exists unless an official violates clearly established federal statutory or constitutional rights of which a reasonable person would have known Buckley vs. Fitzsimmons (1993) 509 U.S. 259, 125 L. Ed. 2d. 209, 113 S. Ct. 2606, 93 CDOS 4669, 93 Daily Journal, DAR 7961 and that Commissioner Mastropietro's acts as alleged clearly violated "established federal statutory or constitutional rights of which a reasonable person would have known.

Commissioner Mastropietro:

(A) Declared that the carrier could take a unilateral action to discontinue payment of plaintiff's weekly income against the provisions of Section 31-296 of the Compensation Act so as to achieve his intended purpose as alleged, in violation of plaintiff's right to

(a) Equal Protection - U.S. Const. Amend. XIV, Section 1

(b) Due Process - 42 U.S.C. Section 1983

(c) Right to Sue - 42 U.S.C. Section 1981

(d) Equal Benefit Of The Laws - 42 U.S.C. Section 1981

(e) Be free from acts of conspiracy - 42 U.S.C. Section 1985(3).

B. In his ambition to deprive plaintiff of benefit due the plaintiff, ignored the provisions of Section 31-296 of the Connecticut General Stat. Anno. (C.G.S.A.) and held a hearing that rewarded the carriers unlawful act of withholding and discontinuing payments of the plaintiff's weekly income against the provisions of the Compensation Act, instead of holding a hearing to punish the carrier's unlawful act of withholding and discontinuing payment of plaintiff's weekly income against the provisions of Section 31-296 of the Conn. Gen. Stat. Anno. of the Compensation Act.

C. In his ambition to achieve his intended purpose ignored the provisions of Section 31-315 of the Conn. Gen. Stat. Anno. of the Compensation Act, and reduced the plaintiff's weekly income against the provisions of the Act, which specifies conditions under which a claimant's weekly income may be modified.

D. Asked plaintiff, at the presence of carrier's counsel, to look for jobs whose duties plaintiff could not medically perform.

E. In his ambition to achieve his intended goal, abruptly changed the purpose of a hearing which was intended to evaluate the quality of plaintiff's job searches to that of a hearing of settlement of plaintiff's case so as to get the plaintiff off the system, regardless of plaintiff's condition.

F. Ignored the provisions of Section 31-296 of the Compensation Act and overlooked or ignored the carrier's unlawful act of taken a unilateral action to discontinue payment of plaintiff's weekly income and with that held a hearing which the carrier requested to discuss its intent to

discontinue payment of plaintiff's weekly income after the carrier had already discontinued the payment.

As a result of this erroneous evaluation of the plaintiff's complaint the defendants deliberate violations of the plaintiff's right to Equal Protection, Equal Benefit of the Laws, Due Process, right to sue which from all evidences stem from nothing but plaintiff's race, national origin, and an ambition to make plaintiff's life as miserable as they could make it, as retaliatory measures against plaintiff for instituting a legal action against the Commission were not prosecuted.

Consequently plaintiff did not have a choice but to appeal the erroneous ruling to the Court of Appeals, 2nd Circuit, N.Y., N.Y.

The 2nd Circuit upon plaintiff's application for counsel, dismissed all but one of the issues of the plaintiff's complaint which involves the arbitrary and capricious means by which the Commission deprived plaintiff of his Dependency Allowance.

After the hearing on the dependency allowance issue, the Court of Appeals affirmed the District Court's ruling stating that (a) plaintiff's action against the Commission is barred by the 11th Amendment even though it is not for, it is an Excepted Claim against the state according to Section 4-142 of the Ct. Gen. Stat. Annotated a copy enclosed and labelled A(2) (b) the limitation of the dependency allowance "is for payments only for children or stepchildren" even though the plaintiff proved and maintained throughout the Complaint that the law is not interpreted literally and for that reason benefit is not given only to "children or stepchildren" but children of guardianship, adopted children, etc. are given the allowance as long as the means by which these children became dependent children of a claimant is the known and recognized or accepted practice in the Western culture (c) the second defendant, Workers' Rehabilitation does not appear to exist and that the plaintiff did not serve that defendant even though the service of Summons and Complaint was supposed to have been effected by the District Court as it did with the

other defendants and there exists a Workers' Rehabilitation entity with a director by the name of Paul Goodney (d) the plaintiff's Due Process Complaint of the Dependency Allowance was a "mere assertion that state remedies are lengthy" even though throughout the Complaint the plaintiff maintained that it was not only that procedural remedies take too long but laws were broken, laws were ignored or disregarded by both the Commission, defendant, and the insurance carrier just to make it possible to deprive the plaintiff of the benefit; the plaintiff stated that on two consecutive occasions the carrier dishonored agreements at informal hearings to make the necessary payments, in violation of Section 31-297a of the Compensation Act without the Commission taking any action against the carrier's unlawful acts; the plaintiff pointed out that during the 2nd hearing the carrier's counsel, Attorney Richard Stabnick was asked by the Commissioner who presided over the hearing, Commissioner Linda Johnson, to call the carrier to confirm the carrier's agreement of the conclusion and the award of the

hearing to which counsel did and came back to the hearing room to report that the carrier agreed wholeheartedly to the award and the conclusion of the hearing and that he spoke to "one young lady by the name of Joan Yunga."

With that erroneous evaluation of the plaintiff's Due Process Complaint of the Dependency Allowance, the Court of Appeals declared the plaintiff's Due Process Complaint of the Dependency Allowance was moot once the Compensation Review Board held the hearing of the plaintiff's complaint even though the consequential damages of the defendants action upon the plaintiff and the innocent children are perpetual or continue to cause undeserved irreparable damages to plaintiff and the innocent children (e) the plaintiff's action was against Commissioner Mastropietro-In His Official Capacity at the face of the fact that, at the very front page of the plaintiff's action, the plaintiff states that his action is against Commissioner Mastropietro-In His Individual Capacity.

Based upon the alleged errors of the 2nd circuit in affirming the District Court's dismissal of the plaintiff's action, the plaintiff moved for a Petition For A Re-hearing and analyzed with supporting documents, the errors made in the ruling of the Court of Appeals.

The Court of Appeals, however denied the plaintiff's Petition For A Re-hearing on the 28th of January, 1998 without any clarification.

Consequently the plaintiff did not have any choice but to appeal the ruling to the Supreme Court of the U.S. in an effort to seek redress against the defendants deliberate wrongful actions whose effect has been causing an unprecedented rate of ruin to plaintiff's life.

CONCLUSION

Plaintiff's life has been ruined by the consequences of the defendants deliberate violations of plaintiff's civil rights as alleged, from the very beginning that plaintiff unfortunately became a recipient of Workers Compensation claims for benefits which are intended to assist claimants to get back on their feet.

Plaintiff therefore hopes his Petition For Certiorari would be granted to enable him to seek redress against those alleged violations of his civil rights.

Thank you.

Sincerely,

Ben. Gyadu
P.O. Box 4314
Waterbury, CT 06704

Date: February 13, 1998

APPENDIX

The District Court of Connecticut

Ben. Gyadu, Appellant

vs.

Workers' Compensation Commission, Et Al

Doc. #: 96-CV-0043

(i) Dismissal of Plaintiff's Action

(ii) Motion For Re-Consideration & Dismissal Of Motion For Reconsideration

Court Of Appeals, 2nd Circuit, N.Y., N.Y. 10007

Ben. Gyadu, Appellant

vs.

Workers Compensation Commission, Appellee

Doc. #: 96-7950, 96-9616

(i) Dismissal of Plaintiff's Appeal

(ii) Petition For A Re-hearing & Denial Of Petition For A Re-hearing

Sincerely,

Ben. Gyadu, Appellant

Date: February 13, 1998